IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 882 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE N.G.NANDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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UCHHAL GRAM PANCHAYAT

Versus

DIRECTOR OF AGRICULTURAL MARKETING & RURAL FINANCE

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Appearance:

1. Special Civil Application No. 882 of 1988
NOTICE SERVED for Petitioner No. 1-2
M.R. MENGDEY for Respondent No. 1-2

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CORAM : MR.JUSTICE N.G.NANDI

Date of decision: 02/05/2003

ORAL JUDGEMENT

1. Heard Mr. M.R. Mengdey, learned AGP.

2. In the petition direction is sought, seeking to quash and set aside the notification dated 3-2-1988 qua respondent No.3, issued by Director, Agricultural Marketing & Rural Finance, Gujarat State, Gandhinagar, publishing the names of the members elected in the agriculturists constituency, traders constituency, and also nominated members, in the election of Agricultural Produce Market Committee Ucchal, Taluka Ucchal, District Surat, held on 25-11-1987, challenging the election of Ramanbhai Gadalbhai Dodia, respondent no.3, as the member of the aforesaid APMC.

3. It is stated by Mr. Mengdey that the election to Agriculture Produce Market Committee takes place every five years.

In the impugned notification at page-12 it is stated that the election of Agricultural Produce Market Committee, Ucchal, District Surat, was held on 25-11-1987 declaring the names of the elected members in the said election. Thus it appears from the above that the writ petition has become infructuous since the term of office of members elected in the election held on 25-11-1987, must have been over long back as the tenure of the elected members would be five years.

4. In view of the above, the petition is rejected as infructuous. Rule discharged. Interim relief, if any, stands vacated. No costs.

Dt: 2-5-2003 ( N.G. Nandi, J )

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